

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAMUEL PEARSON,

Petitioner,

v.

Case Number 08-14422
Honorable David M. Lawson

RAYMOND BOOKER,

Respondent.

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ORDER DENYING MOTION FOR RECONSIDERATION

The matter is before the Court on the petitioner's motion for reconsideration of the Court's August 11, 2011 opinion and order dismissing petition for writ of habeas corpus.

A motion for reconsideration may be granted pursuant to E.D. Mich. LR 7.1(h)(1) when the moving party shows (1) a "palpable defect," (2) that misled the court and the parties, and (3) that correcting the defect will result in a different disposition of the case. E.D. Mich. LR 7.1(h)(3). A "palpable defect" is a defect which is obvious, clear, unmistakable, manifest, or plain. *Mich. Dep't of Treasury v. Michalec*, 181 F. Supp. 2d 731, 734 (E.D. Mich. 2002) (citations omitted). The petitioner has not presented any evidence of a palpable defect that misled the Court. Instead, the petitioner's motion merely revisits issues already decided by the Court. Therefore, the Court will deny the motion for reconsideration.

Accordingly, it is **ORDERED** that the petitioner's motion for reconsideration [dkt. #46] is **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: September 2, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on September 2, 2011.

s/Deborah R. Tofil
DEBORAH R. TOFIL